

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

**DONALD GENE RHOADES,**

**Petitioner,**

**v.**

**LORIE DAVIS, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,**

**Respondent.**

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**Civil Action No. 7:18-cv-079-O-BP**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

This is a habeas action brought pursuant to 28 U.S.C. § 2254 in which Petitioner challenges the validity of his 2013 conviction for injury to an elderly person. *See* Petition, ECF No. 1 at 2; Petitioner's Response to Court's Order to Show Cause, ECF No. 5 at 5. The United States Magistrate Judge entered his Findings, Conclusions, and Recommendation in which he recommends that the petition be dismissed as barred by the statute of limitations. *See* ECF No. 6. Petitioner has not filed objections. The District Court has reviewed the Findings, Conclusions, and Recommendation for plain error. Finding no error, I am of the opinion that the findings of fact, conclusions of law, and reasons for dismissal set forth in the Magistrate Judge's Recommendation are correct and they are hereby adopted and incorporated by reference as the Findings of the Court.

Accordingly, the petition for writ of habeas corpus is **DISMISSED** as **TIME-BARRED**.

**SO ORDERED** this 30th day of July, 2018.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE